



222 Delaware Avenue • Suite 900

P.O. Box 25130 • Wilmington, DE • 19899

Zip Code For Deliveries 19801

(302) 429-4208

rkirk@bayardlaw.com

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February 1, 2008

The Honorable Joseph J. Farnan, Jr.
J. Caleb Boggs Federal Building
844 N. King Street
Room 4124
Wilmington, DE 19801

Re: *LG.Philips LCD Co., Ltd. v. Chi Mei Optoelectronics et al*,
Case Nos. 06-726-JJF and 07-357-JJF

Dear Judge Farnan:

We write on behalf of Plaintiff LG.Philips LCD Co., Ltd. ("LG.Philips") to apprise the Court of recent settlements with three of the named defendants and to request the scheduling of a status conference at the Court's earliest convenience.

The three defendants that have settled with LG.Philips are Tatung Company and Tatung Company of America (collectively "Tatung"), and ViewSonic Corporation ("ViewSonic"). The remaining defendants are Chi Mei Optoelectronics Corporation and Chi Mei Optoelectronics USA, Inc. (collectively "CMO"), and AU Optronics Corporation, and AU Optronics Corporation America (collectively "AUO"). With the Court's indulgence, I will briefly outline the history of the case.

On December 1, 2006, LG.Philips filed a Complaint for Patent Infringement against defendants CMO, AUO, Tatung and ViewSonic alleging infringement of three of LG.Philips's United States patents (D.I. 1, Case No. 06-726). The case was assigned to Your Honor.

In response, on March 8, 2007, AUO filed an infringement action of its own regarding patents directed at LCD technology in the Western District of Wisconsin against LG.Philips and its subsidiary, LG.Philips LCD America, Inc. On May 30, the Honorable John C. Shabaz transferred AUO's Wisconsin action to this Court for consolidation with the 06-726 case. (D.I. 49, Ex. 1, Case No. 07-357.) The two cases were then consolidated. (D.I. 100, Case No. 07-357.) The consolidated case was then reassigned to Chief Judge Sleet. However, last month the consolidated case was again reassigned to Your Honor.





There are no pending motions filed by AUO. Accordingly, the case against AUO is ready for a scheduling order. However, CMO filed a motion to dismiss for lack of personal jurisdiction and insufficiency of service of process (D.I. 19).¹ Although LG.Philips believes that CMO's motion to dismiss should be denied outright,² LG.Philips moved, in the alternative, for an order directing CMO to permit LG.Philips to use the discovery produced in the matter of *Commissariat à l'Energie Atomique v. Samsung Electronics Co., et al.*, C.A. No. 03-484-MPT (D. Del.), to further establish this Court's jurisdiction or, in the further alternative, to conduct jurisdictional discovery (*see* D.I. 80). Those motions are fully briefed and ready for decision.

In addition, CMO has moved to strike the amended complaints filed by LG.Philips (D.I. 29 and 54), one of which added Chi Mei Optoelectronics USA, Inc. as a defendant (D.I. 119). That motion, likewise, is fully briefed and ready for decision.

As mentioned above, Tatung and ViewSonic have recently settled with LG.Philips. Stipulations of dismissal have been filed (D.I. 148 and D.I. 150). These stipulations dismiss all claims between LG.Philips and these three defendants, and ViewSonic withdrew as moot all pending motions it had filed (*see* D.I. 37, 39, 41, 114, 122).

LG.Philips respectfully requests the Court to set a status conference at Your Honor's earliest convenience to establish a schedule for proceeding promptly against CMO and AUO.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard D. Kirk'.
Richard D. Kirk (rk0922)

cc: Counsel as shown on the attached certificate

¹ Unless otherwise indicated, all D.I. references are in Case No. 06-726.

² Indeed, LG.Philips has filed a motion seeking sanctions against CMO for its filing of the jurisdictional challenge. D.I. 86.

CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on February 1, 2008, he served the foregoing documents by email and by hand upon the following counsel:

Edmond D. Johnson
PEPPER HAMILTON LLP
1313 Market Street, Suite 5100
PO Box 1709
Wilmington, DE 19899-1709

Karen L. Pascale
John W. Shaw
YOUNG CONAWAY STARGATT &
TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899-0391

Philip A. Rovner
Dave E. Moore
POTTER ANDERSON & CORROON LLP
1313 North Market Street
Wilmington, DE 19899-0951

The undersigned counsel further certifies that, on February 1, 2008, he served the foregoing documents by email and by U.S. Mail upon the following counsel:

John N. Zarian
Samia McCall
Matthew D. Thayne
STOEL RIVES LLP
101 S. Capitol Blvd., Suite 1900
Boise, ID 83702

Vincent K. Yip
Peter J. Wied
Jay C. Chiu
PAUL, HASTINGS, JANOFSKY &
WALKER LLP
515 South Flower Street
Twenty-Fifth Floor
Los Angeles, CA 90071

Kenneth R. Adamo
Robert C. Kahrl
Arthur P. Licygiewicz
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, OH 44114-1190

Ron E. Shulman, Esquire
Julie Holloway, Esquire
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, California 94304-1050

M. Craig Tyler, Esquire
Brian D. Range, Esquire
WILSON SONSINI GOODRICH & ROSATI
8911 Capital of Texas Highway North
Westech 360, Suite 3350
Austin, Texas 78759-8497

James R. Troupis, Esquire
Paul D. Barbato, Esquire
MICHAEL BEST & FRIEDRICH LLP
One South Pinckney Street, Suite 700
P.O.Box 1806
Madison, WI 53701-1806

/s/ Richard D. Kirk, (rk0922)
Richard D. Kirk